

**South Carolina General Assembly**  
119th Session, 2011-2012

**A203, R212, S149**

**STATUS INFORMATION**

General Bill

Sponsors: Senators Campsen, Rose, McConnell, Ryberg, Fair, Massey, Leventis, Bryant, Davis, Shoopman, Grooms and Hayes

Document Path: l:\council\bills\agm\18225bh11.docx

Companion/Similar bill(s): 171, 4585

Introduced in the Senate on January 11, 2011

Introduced in the House on May 1, 2012

Last Amended on May 30, 2012

Passed by the General Assembly on May 31, 2012

Governor's Action: June 7, 2012, Signed

Summary: Equal Access to Interscholastic Activities Act

**HISTORY OF LEGISLATIVE ACTIONS**

Date	Body	Action Description with journal page number
12/1/2010	Senate	Prefiled
12/1/2010	Senate	Referred to Committee on <b>Education</b>
1/11/2011	Senate	Introduced and read first time ( <a href="#">Senate Journal-page 73</a> )
1/11/2011	Senate	Referred to Committee on <b>Education</b> ( <a href="#">Senate Journal-page 73</a> )
4/11/2012	Senate	Committee report: Majority favorable, minority unfavorable <b>Education</b> ( <a href="#">Senate Journal-page 8</a> )
4/12/2012	Senate	Minority Report Removed ( <a href="#">Senate Journal-page 38</a> )
4/26/2012	Senate	Amended ( <a href="#">Senate Journal-page 11</a> )
4/26/2012	Senate	Read second time ( <a href="#">Senate Journal-page 11</a> )
4/26/2012	Senate	Roll call Ayes-36 Nays-0 ( <a href="#">Senate Journal-page 11</a> )
4/26/2012	Senate	Unanimous consent for third reading on next legislative day ( <a href="#">Senate Journal-page 11</a> )
4/27/2012	Senate	Read third time and sent to House ( <a href="#">Senate Journal-page 1</a> )
5/1/2012	House	Introduced and read first time ( <a href="#">House Journal-page 5</a> )
5/1/2012	House	Referred to Committee on <b>Education and Public Works</b> ( <a href="#">House Journal-page 5</a> )
5/23/2012	House	Committee report: Favorable with amendment <b>Education and Public Works</b> ( <a href="#">House Journal-page 10</a> )
5/30/2012	House	Requests for debate-Rep(s). RL Brown, Weeks, Gilliard, Agnew, Henderson, Dilliard, GM Smith, Bedingfield, DC Moss, Hixon, Taylor, Hosey, Hiott, JR Smith, King, Johnson, Sabb, Herbkersman, Brantley, Erickson, Forrester, Crawford, Pinson, Patrick, Atwater, Toole ( <a href="#">House Journal-page 40</a> )
5/30/2012	House	Amended ( <a href="#">House Journal-page 198</a> )
5/30/2012	House	Read second time ( <a href="#">House Journal-page 198</a> )
5/30/2012	House	Roll call Yeas-106 Nays-0 ( <a href="#">House Journal-page 200</a> )
5/31/2012	House	Read third time and returned to Senate with amendments ( <a href="#">House Journal-page 90</a> )
5/31/2012	Senate	Concurred in House amendment and enrolled
5/31/2012	Senate	Roll call Ayes-38 Nays-0
6/5/2012		Ratified R 212
6/7/2012		Signed By Governor

6/18/2012            Effective date 06/07/12  
6/19/2012            Act No. 203

View the latest [legislative information](#) at the LPITS web site

## **VERSIONS OF THIS BILL**

[12/1/2010](#)

[4/11/2012](#)

[4/26/2012](#)

[5/23/2012](#)

[5/30/2012](#)

**NOTE: THIS COPY IS A TEMPORARY VERSION. THIS DOCUMENT WILL REMAIN IN THIS VERSION UNTIL PUBLISHED IN THE ADVANCE SHEETS TO THE ACTS AND JOINT RESOLUTIONS. WHEN THIS DOCUMENT IS PUBLISHED IN THE ADVANCE SHEET, THIS NOTE WILL BE REMOVED.**

(A203, R212, S149)

**AN ACT TO AMEND THE CODE OF LAWS OF SOUTH CAROLINA, 1976, SO AS TO ENACT THE “EQUAL ACCESS TO INTERSCHOLASTIC ACTIVITIES ACT” BY ADDING SECTION 59-63-100 SO AS TO PERMIT HOME SCHOOL STUDENTS AND GOVERNOR’S SCHOOL STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES OF THE SCHOOL DISTRICT IN WHICH THE STUDENTS RESIDE SUBJECT TO CERTAIN CONDITIONS, AND TO PROVIDE ADDITIONAL REQUIREMENTS FOR CHARTER SCHOOL STUDENTS TO PARTICIPATE IN INTERSCHOLASTIC ACTIVITIES.**

Be it enacted by the General Assembly of the State of South Carolina:

**Act citation**

SECTION 1. This act may be cited as the “Equal Access to Interscholastic Activities Act”.

**Participation in interscholastic activities of public school district by home school, charter school, and Governor’s school students**

SECTION 2. Article 1, Chapter 63, Title 59 of the 1976 Code is amended by adding:

“Section 59-63-100. (A) As used in this section:

(1) ‘Charter school student’ is a child enrolled in a charter school established pursuant to Chapter 40, Title 59.

(2) ‘Governor’s school student’ is a child enrolled at a Governor’s school established pursuant to this title.

(3) ‘**Home school student**’ is a child taught in accordance with Section 59-65-40, 59-65-45, or 59-65-47 and has been taught in accordance with one of these sections **for a full academic year prior to** participating in an interscholastic activity pursuant to this section.

(4) **‘Interscholastic activities’ includes, but is not limited to, athletics, music, speech, and other extracurricular activities.**

(B) Individual Governor’s school students and **home school students** may not be denied by a school district the opportunity to participate in interscholastic activities if the:

(1) student meets **all school district eligibility** requirements with the **exception of the:**

(a) school district’s school or **class attendance** requirements;  
and

(b) **class and enrollment requirements** of the associations administering the interscholastic activities;

(2) student’s teacher, in the case of a Governor’s school student, certifies by submitting an affidavit to the school district that the student fully complies with the law and any attendance, class, or enrollment requirements for a Governor’s school. In addition, a charter school student’s teacher, in the same manner required by this subsection for a Governor’s school student, also must certify by affidavit to the student’s school district that the student fully complies with the law and any attendance, class, or enrollment requirements for a charter school in order for the student to participate in interscholastic activities in the manner permitted by Chapter 40 of this title;

(3) **student participating in interscholastic activities:**

(a) resides within the attendance boundaries of the school for which the student participates; or

(b) in the case of a Governor’s school student, resides or attends a Governor’s school within the attendance boundaries of the school for which the student participates; and

(4) **student notifies the superintendent of the school district in writing of his intent to participate** in the interscholastic activity as a representative of the school **before the beginning date of the season** for the activity in which he wishes to participate.

(C) A public school student who has been unable to maintain academic eligibility is ineligible to participate in interscholastic activities as a charter school student, Governor’s school student, or home school student for the **following semester**. To establish eligibility for subsequent school years, the student’s teacher shall certify by submitting an affidavit to the school district that the student meets the relevant policies of the school at which the student wishes to participate.

(D) A Governor’s school student or home school student is required to fulfill the same responsibilities and standards of behavior and performance, including related practice requirements, of other students participating in the interscholastic activities of the team or squad and is

required to meet the same standards for acceptance on the team or squad.

(E) A Governor's school may not be denied by a school district the opportunity to have a team representing the school participate in interscholastic activities if the team meets the same eligibility requirements of other teams. An individual Governor's school student may not participate in an interscholastic activity of a public school district if the school that the student is enrolled in has a team or squad participating in that interscholastic activity.

(F) A school district may not contract with a private entity that supervises interscholastic activities if the private entity prohibits the participation of charter school students, Governor's school students, or home school students in interscholastic activities."

### **Time effective**

SECTION 3. This act takes effect upon approval by the Governor.

Ratified the 5<sup>th</sup> day of June, 2012.

Approved the 7<sup>th</sup> day of June, 2012.

---